

**Question/Comment #1**

Reference: L.24

Because of the importance of small business participation in this important procurement and resulting contract, the justification provided for the use of NAICS Code 561210, with a size standard of \$35.5 million, and the precedent set at another DOE agency for such a designation, we respectfully request that DOE consider a change in the NAICS Code and Size Standard to 561210 for the DE-RP30-08CC600025 procurement.

**Answer #1**

Under the current contract, 668 of the 887 personnel employed are protective force personnel of which 477 are "prescribed". Although all of the functions of the Statement of Work are considered to be essential in the successful performance of the contract, the functions of the Statement of Work that utilize protective force personnel are considered to be the most essential. Therefore, NAICS Code 561612 is considered to be more applicable to this procurement than NAICS Code 561210.

**Question/Comment #2**

Reference: L.4(d)5

Given the 125 page limit on Volume II, and the potential desire to incorporate small businesses into the proposals as major teaming partners, are the Attachment 2 forms for the major subcontractors included in the 125 page limit? Requiring those attachments to count toward the page limits may have the unintended effect of thwarting the intent of large businesses to incorporate 1, 2, 3, or more small businesses in major roles. Might DOE consider allowing past performance information to be excluded from the page count? Alternatively, would it be acceptable to just provide the information in Factor 2 and would that suffice for past performance for subcontractors (for example) in lieu of the forms associated with Attachment 2?

**Answer #2**

As stated in Provision L.2(e), every page of the Volume II – Technical Proposal shall be counted towards the page limitation, including attachments, appendices and annexes except for the Table of Contents, Title Pages, Glossary, Dividers/Tabs, Blank Pages, Cross Reference Matrix, Key Personnel Resumes, Letters of Commitment, and Reference Information for Past Performance Worksheets. In addition, copies of proposed or executed organizational agreements provided by newly formed joint ventures and Past Performance references are not included in the 125 page limit for the technical proposals.

**Question/Comment #3**

Reference: L.4(d)4

Paragraph 6 of this section, last sentence states "Newly formed joint ventures shall include copies of proposed or executed organizational agreements with their proposals." Section L.3(e) also requires "The Offeror shall provide copies or drafts of the applicable joint venture and/or LLC agreements.....regarding the nature and extent of the work to be performed under this solicitation.

This appears to be a duplicate requirement to be included in each Volume. Can the requirement for a joint venture or LLC agreements be deleted from Volume II or removed from page count?

**Answer #3**

Yes. The last sentence of Section L.4(d)4 will be deleted as part of Amendment 001 to the Request for Proposals.

**Question/Comment #4**

Reference: L.2(g)

This section instructs that "pages shall be numbered sequentially by volume and by individual sections within each volume." Does the government want two page numbers on every page?

**Answer #4**

Each page shall be identified by volume, section, and page number in sequential order. Offerors will have the discretion to decide how to break each volume down into individual sections if at all.

**Question/Comment #5**

Reference: Section I

In that DEAR 950.7006 mandates incorporation of the Nuclear Hazards Indemnity clause—"in all contracts in which the contractor is under risk of public liability for a [nuclear incident](#)"—and that the Nuclear Hazards Indemnity clause is included in the existing prime contract, DOE is requested to add DEAR 952.250-70 to Part II of the RFP.

**Answer #5**

This clause will be incorporated as part of Amendment 001 into the Request for Proposals.

**Question/Comment #6**

Reference: L.3(e)

In Part IV, paragraph L.3(e), Offers that are joint ventures, LLCs, or any other teaming arrangements are required to provide "*full and complete information on each of the participating members/companies*". Please specify the information that should be provided in response, if any, that is in addition to the information Offers are required to provide pursuant to Part IV, paragraph L.5(o).

**Answer #6**

L.5(o) requests financial and accounting information for the Offeror, each member of an Limited Liability Company or joint venture and each subcontractor that is proposed to perform work on the contract greater than or equal to \$20 million. Financial and accounting information is not requested for L.3(e). L.3(e) requests only that Offerors that are joint ventures, Limited Liability Companies, or other teaming arrangements identify all participating members/companies and provide copies or drafts of agreements that identify the work to be performed by participating members/companies.

**Question/Comment #7**

Reference: H.8(f)(3)(A)

The contractor is required to conduct an Employee Benefits Value Study (Ben-Val), every two years. Based on that requirement is it possible to receive a copy of the most recent Ben Val study conducted by Wackenhut? Having access to this document would help the bidders determine of how close the current benefits are to market value.

**Answer #7**

This requirement is new, and the incumbent contractor has not conducted an Employee Benefits Value Study (Ben-Val) under the current protective force security services contract.

**Question/Comment #8**

Reference: L.2(h)

May the 10 point font size restriction for spreadsheets be relieved for portions of the Cost Volume, such as Section L.5 Attachment 4 Tables?

**Answer #8**

All graphs, tables and spreadsheets must be in 10 point or larger font.

**Question/Comment #9**

Reference: L.5

The incumbent has an advantage in being able to reference "actual and verifiable data" for SRS specific materials, equipment, subcontracts, and other direct costs. They have quantities of supplies on hand and thorough understanding and condition of existing equipment. Can all Offeror's be provided last year's budget and basis for materials, equipment, subcontracts, and other direct costs by WBS?

**Answer #9**

Information on the incumbent contractor's expenditures for Fiscal Year 2008 is included in Attachment 5 to Section L of the Request for Proposals under "Other Costs". This information is being provided for informational purposes only. Prospective offerors will have the flexibility to propose costs that reflect their approaches to performing the Statement of Work.

**Question/Comment #10**

Reference: L.5(e)

It appears the prescribed dollar amounts provided in Table L-1 includes escalation. Does Table L-1 include escalation?

**Answer #10**

Table L.1 reflects the same number of prescribed personnel throughout the contract period of performance. The dollar amounts for prescribed personnel are escalated for each year of the period of performance in Table L.1.

**Question/Comment #11**

Reference: H.8(e)(1)(B)

The RFP H.8(e)(1)(B) requires that the contractor provide "...a total package of benefits to Incumbent Employees comparable to that provided by WSI." Given this requirement, will you provide a detailed description of the current WSI benefit package, i.e., current Summary Plan Descriptions (SPDs), participation, premium rates, etc., for:

1. Non-represented employees
2. Union-represented employees

**Answer #11**

Attachment 5 to Section L of the final Request for Proposals provides the historical site fringe benefit rate as a percent of direct labor dollars as well as a list of the fringe benefits provided for employees not covered by the Collective Bargaining Agreement. The Collective Bargaining Agreement which is Attachment E to Section J provides detailed information regarding the benefits for represented protective force employees.

**Question/Comment #12**

Reference: L.5(e)

It appears the prescribed dollar amounts provided in Table L-1 for FY10 includes 12 months of operations. Should it only reflect 9 months of prescribed costs because the first 3 months of the FY10 for this contract is scheduled for transition?

**Answer #12**

Table L.1 will be revised as part of Amendment 001 to change the FY 2010 amount to \$38.0M to reflect nine months exclusive of the transition period.

**Question/Comment #13**

Reference: C.5.2.4

"The contractor is required to maintain an FAA airworthiness certification under 14 CFR Part 135.25...."

Does the incumbent currently hold a Part 135 certification or are they operating on good faith at that level?"

**Answer #13**

The incumbent contractor does hold a Part 135 certification for airworthiness of the aircraft.

